

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

FCCI INSURANCE COMPANY,

Plaintiff,

v.

ISLAND POINTE, LLC, LEONARD T.
BROWNE, CHRISTOPHER UNION, NOVUS
ARCHITECTS, INC. F/K/A SGM ARCHITECTS,
INC., CRG ENGINEERING, INC., COMPLETE
BUILDING CORPORATION, MOUNT
HAWLEY INSURANCE COMPANY,
INTERSTATE FIRE AND CASUALTY
COMPANY, COLONY SPECIALTY
INSURANCE COMPANY, UNITED
SPECIALTY INSURANCE COMPANY,
AMERICAN SAFETY INSURANCE
COMPANY, ALDERMAN CONSTRUCTION,
INC., COHEN'S DRYWALL COMPANY, INC.,
KEVIN MOSLEY D/B/A MOSLEY CONCRETE
CONSTRUCTION, FLOYD STANLEY JR.
D/B/A STANLEY'S VINYL FENCE DESIGNS,
TRI-COUNTY ROOFING, INC., CREEKSIDE
OF CHARLESTON, INC., AMERICAN
RESIDENTIAL SERVICES, LLC D/B/A
ARS/RESCUE ROOTER CHARLESTON,
ATLANTIC BUILDING CONSTRUCTION
SERVICES, INC. N/K/A ATLANTIC
CONSTRUCTION SERVICES, INC., TALLENT
AND SONS, INC., W C SERVICES, INC., D & S
SERVICES, INC., TRUTEAM, INC. D/B/A
BUILDER SERVICES GROUP, INC. D/B/A
GALE CONTRACTOR SERVICES LIBERTY
MUTUAL FIRE INSURANCE COMPANY,
PENNSYLVANIA LUMBERMENS MUTUAL
INSURANCE COMPANY, HARTFORD
INSURANCE COMPANY, PENNSYLVANIA
NATIONAL MUTUAL CASUALTY
INSURANCE COMPANY, OLD REPUBLIC
INSURANCE COMPANY, PENN NATIONAL
SECURITY INSURANCE COMPANY,

Civil Action

File No.: 2:17-cv-1976-RMD

CERTAIN UNDERWRITERS AT LLOYD'S,
LONDON SUBSCRIBING TO POLICY NO.
ART002591, CERTAIN UNDERWRITERS AT
LLOYD'S, LONDON SUBSCRIBING TO
POLICY NO. B#BURZFR, CATAWBA
INSURANCE COMPANY, SCOTTSDALE
INSURANCE COMPANY, NATIONWIDE
MUTUAL FIRE INSURANCE COMPANY,
WEST AMERICAN INSURANCE COMPANY,
FIREMEN'S INSURANCE COMPANY OF
WASHINGTON D.C., TAPCO
UNDERWRITERS, INC., SELECTIVE
INSURANCE COMPANY and NATIONWIDE
MUTUAL INSURANCE COMPANY,

Defendants.

NOTICE OF VOLUNTARY DISMISSAL

PLEASE TAKE NOTICE that Plaintiff FCCI Insurance Company, pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses Chris Union without prejudice from this action.

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

(a) Voluntary Dismissal:

(1) By the Plaintiff.

(A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2, and 66, and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.

Chris Union was named to this litigation as a notice party who may have an interest in the declarations. Chris Union is no longer involved in the underlying litigation and has no material interest in the outcome of this action for declaratory judgment. Notwithstanding, the parties hereby agree and stipulate that Chris Union will be bound by all final declarations made in this action.

At this time, Defendant Chris Union has filed no answer or motion for summary judgment. Accordingly, Defendant Chris Union may be dismissed without prejudice and without an Order of the Court.


Respectfully Submitted,

December 22, 2017

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